

REMARKS

The Examiner's Action of November 23, 2005, the period to respond to which is now extended by petition and set to expire on March 23, 2006, is noted in which the claims are rejected under 35 USC 112 and 35 USC 103.

Applicant has amended the claims to eliminate the 35 USC 112 objections, and reconsideration is requested.

Claims 15 and 16, which relate to CD cases, are rejected as being unpatentable over Combs in view of Wentz, or Combs in view of Nash.

What is now claimed is an expandable CD case, with spring loading of the nonflexible case covers pressing the sleeves or leaves together so that the CDs are not loose in the case. Moreover, the claimed structure also prevents the CDs from exiting any of the three open sides, which they would do if the sleeves or leaves were left to float loose between the covers.

Note that the subject CD case is expandable to the number of CDs inserted in the sleeves so that the tight-compressed fit is always there no matter how many CDs are contained in the case.

This is unlike a wallet such as shown in Nash, or the billfold as shown in Wentz, or in fact the book closure of Elsner in which no squeezably securing CDs in a case is shown. Nor is this type action shown in Knee.

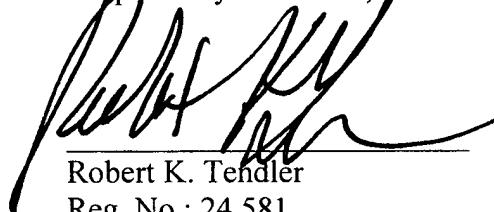
In short, there is no suggestion in these references as to how to protect CDs in an expandable case.

Finally, with respect to Combs, nowhere can the holders 10 be squeezed because flap 58 is rigid and binder cover 56 cannot be brought down to squeeze the holders. Nor was this intended. Rather, Combs is strictly a display stand.

It is therefore Applicant's contention that the claimed subject matter is neither shown nor taught in the references of record and thus would not be obvious.

Allowance of the claims and issuance of the case are therefore earnestly solicited.

Respectfully submitted,



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